

REMARKS

Claims 6 and 9 are currently amended, claims 1-16 are currently pending.

Information Disclosure Statement. A supplemental Information Disclosure Statement is included herewith listing references mentioned in the specification of the application.

Objection to specification. The office action objects to the characterization on page 3 of the specification on grounds that it mischaracterizes provisional patent 60/358,392. In response, applicant notes that the specification was amended during the course of international prosecution and that such amendments are properly before the United States Patent Office. The passage in question has been amended in the international stage to delete reference to the U.S. Provisional application and instead reference the international application published as WO2004/015473.

Drawings. The office action objected to the drawings and associated specification. First, the office action incorrectly claims that a reference sign for element 7 is not mentioned in the description of the invention. In response, applicant notes that page 8, line 5 of the amended specification refers to “buffer fixers (7).”

Additionally, the office action objects to a purported lack of the claimed “caps” in the drawings. “Cap wires 10” are first referenced at page 8, line 29 of the amended specification in and are discussed therein, including in connection with figures 3 and 5. The caps are shown in figures 3, 5, 5a, and 6a, in which they are identified by reference numeral 10. A person of ordinary skill in the art would understand that these cap wires are the same as the first cap and the second cap comprising a wire which is defined in paragraph c) of claim 1 as currently presented. Thus, the drawings show every feature of the invention specified in the claims.

Nonetheless, applicant amends the specification and drawings to include item 10a “cap wires” of “caps” 10. For the foregoing reasons, no new matter is added.

35 USC §102 Rejection over Bradley

The office action improperly rejects claims 1-4 and 15 of the application as anticipated by U.S. Patent No. 6,357,933 to Bradley et al. Accordingly, applicant respectfully traverses this rejection. In order for a claim to be anticipated by a prior art reference, the reference must disclose every limitation of the invention. Bradley does not provide multiple limitations of claim 1 as detailed below and thus does not anticipate the invention as claimed.

For example, Bradley does not teach:

- a “body made of Shape Memory Material, as set out in paragraph a) of claim 1;
- "each of said pair of slots being within a connection clamp and extending to the free end of the other connection clamp" as set out in paragraph b) of claim 1;
- the cap wires which “penetrate into the ferrule from each side, and abut each other at the middle of the length of the body of the ferrule” as set out in paragraph c) of claim 1.

Indeed, what Bradley teaches is a device 40 which is inserted into a ferrule as part of an overall connector assembly 10. In fact, Bradley is not directed to the bringing into optical connection contact of two optical fibers face to face in the middle of a device such as taught in the present specification. In the Bradley device, a single optical fiber is inserted through the ferrule, insert 40 and a capillary 44, to project from end face 23, where the projecting portion of the fiber is cleaved and polished. Although there is no further description about this in Bradley, presumably, the end face 23 is brought in contact with some other device, to bring the cleaved optical fiber in contact with the end of another optical fiber or in contact with some other active device.

In a device with a bore diameter that is slightly smaller than that of the optical fiber, as is disclosed by Bradley, the clamps 56 and 47 must be compressed by way of their insertion into the ferrule to grip a single optical fiber which is inserted from end 54 and projects to end 48. This is in contrast with the device of the present application as described and claimed, wherein the clamps at either end of the device grip the optical fibers which are inserted in either end on their own tendency when the clamps are effectively released.

Thus, Bradley discloses a device having markedly different features in order to arrive at a different function and neither anticipates the invention of claim 1 nor would motivate a practitioner of the art to arrive at the invention of claim 1. For at least these reasons, the present invention is patentable over Bradley.

Applicant submits that all claims pending in the application are allowable over the art of record. Early notice to that effect is respectfully solicited. Reconsideration of the application and issuance of a notice of allowance are respectfully requested. It is believed that a 3-month extension of time is required and payment is included herewith but Applicant hereby petitions for and request that any extension or other fee required for timely consideration of this application be applied and charged to Deposit Account No. 19-4972. The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously.

Respectfully submitted,

/Robert A. Hess, #57,411/
Robert A. Hess
Reg. No. 57,411
Bromberg & Sunstein LLP
125 Summer Street, 11th Floor
Boston, MA 02110-1618
(617) 443-9292
Agent for Applicant